

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LUIS A. APONTE SANTIAGO	:	CIVIL ACTION
	:	
v.	:	
	:	
JO ANNE B. BARNHART,	:	
COMMISSIONER OF SOCIAL SECURITY :		NO. 04-5247

ORDER

AND NOW, this 15th day of August, 2005, upon careful and independent consideration of the administrative record in this matter, plaintiff's motion for summary judgment (docket entry # 7), defendant's motion for summary judgment (docket entry # 10), and the Honorable Jacob P. Hart's Report and Recommendation (docket entry # 12), to which neither party has objected, and the Court finding that substantial evidence supports defendant's decision, see 42 U.S.C. § 405(g), it is hereby ORDERED that:

1. Judge Hart's Report and Recommendation is APPROVED and ADOPTED;
2. Plaintiff's motion for summary judgment is DENIED;
3. Defendant's motion for summary judgment is GRANTED; and
4. The Clerk shall CLOSE this civil action statistically.

BY THE COURT:

/s/ Stewart Dalzell, J.  
Stewart Dalzell, J.